

RESOLUTION NO. 2012- 2

SUSQUEHANNA TOWNSHIP AUTHORITY

RESOLUTION AUTHORIZING THIRD PARTY COLLECTION FEES TO BE RECOVERED AS "CHARGES, EXPENSES AND FEES AS PROVIDED IN THE MUNICIPAL CLAIMS ACT OF MAY 16, 1923, P.L. 207 AS AMENDED FROM TIME TO TIME AS FOUND AT 53 PURDONS STATUTE §7101 ET. SEQ. AS AMENDED (HEREINAFTER THE "ACT")

WHEREAS, Susquehanna Township Authority (hereinafter, "Authority") has contracted with a third party collection entity, Modern Recovery Solutions (hereinafter "Modern"), to attempt to collect certain significant delinquent sewer rental accounts for a fee based upon a percentage of the delinquent amount and age of the account as hereinafter more specifically set forth; and

WHEREAS, the Act does permit the Authority to include and recover as "charges, expenses and fees" as defined in the Act, the charges, expenses, commissions and fees of third party collectors retained by the Authority; and

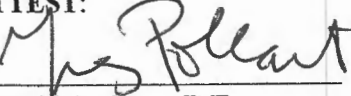
WHEREAS, in order to properly memorialize and implement the ability of the Authority to add and include such third party collection charges, and in conformity with the Act, the Susquehanna Township Authority desires to amend its Rules, Rates and Regulations specifically Article XVII "Enforcement" thereof by the addition of the following subsection:

1. There shall be imposed upon delinquent owners of property who are delinquent in their sewer rental charges or assessments to the Authority, the obligation to pay all third party collection charges, expenses, commissions and fees actually incurred by the Authority, in addition to the other proper charges, expenses and fees of the Authority provided that the full compliance for the requirements prior to such imposition and addition of such costs, expenses and fees of third party collectors has been made and notice provided to the delinquent property owner in accord with the Act.
2. The contract with Modern specifically provides a collection fee of twenty (20%) percent for all accounts referred to Modern.
3. Thus, all such accounts referred and assigned to there shall be added thereto to the amount due the collection fee of Modern as stated as a proper charge, fee and expense in accord with the Act.
4. The appropriate party, personnel and staff shall do and perform each and every act(s) as being necessary to implement this Resolution, which shall include, prior to the inclusion of any third party collection fees, commissions, expenses or costs the sending of written notices as required by the Act to the delinquent property owner.
5. In the event any provisions, sections, sentences or other parts of this Resolution shall be held to be invalid, such invalidity shall not effect or impair any remaining provisions, section, sentence, clause or other parts of this Resolution, it being the intent of the Authority that the remainder of the Resolution shall be and remain in full force and effect.

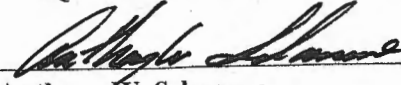
6. All past Resolutions or parts thereof inconsistent with this Resolution, if any, are repealed.

RESOLVED AND ENACTED by the Susquehanna Township Authority this ____ day of March, 2012.

ATTEST:


Yves E. Pollart, P.E.
Secretary

SUSQUEHANNA TOWNSHIP AUTHORITY


Anthony W. Salomone
Chairman

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